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PATENT

Client Reference Number: WH-18

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Attachments: Response to the final Office action ( 19 pages).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**Title:** NOVEL POLYMORPHS OF RACEMIC, DEXTROROTATORY, AND LEVOROTATORY ENANTIONERS OF 1-CYCLOPROPYL-6-FLUORO-8-METHOXY-7-(4-AMINO-3,3-DIMETHYLPIPERIDIN-1-YL)-1,4-DIHYDRO-4-OXO-QUINOLINE-3-CARBOXYLIC ACID HYDROCHLORIDE AND MESYLATE

**Filing Date:** 08/21/2006

**Application Serial Number:** 10/578,371

**Examiner:** Margaret D SEAMAN

**Confirmation Number:** 8976

**Mail Stop:** After final.

Date: March 5, 2009

**RESPONSE AND AMENDMENT**

**FILED UNDER 37 C. F. R. §1.116**

(RESPONSE TO THE OFFICE ACTION MAILED FEBRUARY 9, 2009)

Honorable Commissioner of Patents and Trademarks  
P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Page 1. 6:02 PM. 3/5/2009. Response and amendment filed under 37 CFR 1.116. Application Serial Number: 10/578,371. Mail stop: After final.

This paper (response and amendment) is responsive to the final Office action, dated February 09, 2009, for which a three-month period for response was given, making this response due on or before May 09, 2009. Accordingly, this response is timely filed.

Claims 25-56 have been cancelled. Upon the entering of the amendment, claims 1-24 are pending. In the Office action mailed on February 9, 2009, Claims 1-24 have been allowed by the Examiner.

**Amendment to the Claims** are reflected in the listing of claims which begins on page 3 of this paper. A listing of all claims in the application with their status and the text of all active claims is shown in page 3.

**Remarks/Arguments** begin on page 14 of this paper.